

SENATE BILL 3643

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 68,
Chapter 11, relative to meetings and records of
hospitals.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 11, is amended by adding
the following as a new, appropriately designated section:

Notwithstanding any law to the contrary, hospitals subject to the open meetings
laws codified in title 8, chapter 44, or the public records laws codified in title 10, chapter
7, may discuss and develop marketing strategies and strategic plans in closed meetings,
not open to the public, and the records addressing marketing strategies and strategic
plans, including feasibility studies, may be treated as confidential and not public records,
but shall be subject to subpoena. Action by the board of the hospital adopting a specific
strategy or plan shall be subject to the open meetings laws codified in title 8, chapter 44,
and the adopted strategy or plan, and the studies that were considered in the adoption of
the specific strategy or plan, shall then be subject to the public records laws codified in
title 10, chapter 7.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring
it.